

ITEM NO: \_\_\_\_\_

PREPARED BY: LEE HINSON

COMMISSIONER: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

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**RESOLUTION TO APPROVE AMENDMENT TO A LONG TERM LAND LEASE, DEVELOPMENT AND USE AGREEMENT BETWEEN SHELBY COUNTY AND THE SHELBY COUNTY 911 EMERGENCY COMMUNICATIONS BOARD TO REDUCE THE AMOUNT OF LAND LEASED FROM 15.00 ACRES TO 5.00 ACRES. SPONSORED BY COMMISSIONER WYATT BUNKER.**

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**WHEREAS**, The Shelby County Commission approved Resolution No. 25, a copy of which is attached hereto as Exhibit "A", ( on June 21, 2004, approving a Long Term Land Lease, Development and Use Agreement between Shelby County and The Shelby County 911 Emergency Communications Board to lease 15.00 acres of county owned real property located approximately 860 feet south of Haley Road and 1,080 feet west of Farm Road, for a new Combined Emergency Communications Facility; and

**WHEREAS**, Shelby County and The Shelby County 911 Emergency Communications Board entered into a Land Lease, Development and Use Agreement July 11, 2004, a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, The Shelby County 911 Emergency Communications Board, Shelby County Government, Shelby County Sheriff's Office, and the City of Memphis entered into a Memorandum of Understanding, attached hereto as Exhibit "C", binding the parties to construct a combined emergency communications facility; and

**WHEREAS**, Said "Memorandum of Understanding" has been terminated (a copy of the Notice of Termination is attached hereto as Exhibit "D" and the Shelby County 911 Emergency Communications Board no longer requires to lease 15.00 acres of land; and

**WHEREAS**, The Shelby County Emergency Communications District requires its own office space and desires to amend the lease agreement to reduce the amount of land required from 15.00 acres to 5.00 acres as depicted in exhibits to the Lease Amendment attached hereto in Exhibit "E" and incorporated by reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the Amendment to the Land Lease, Development and Use Agreement is hereby approved.

**BE IT FURTHER RESOLVED**, That the County Mayor is hereby authorized to execute the aforementioned Amendment to the Agreement with The Shelby County Emergency Communications District on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Purchasing Department.

\_\_\_\_\_  
**A C Wharton, Jr.**

County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED: \_\_\_\_\_

## **SUMMARY SHEET**

### **I. Description of Item**

**Resolution to Approve Amendment to a Long Term Land Lease, Development and Use Agreement between Shelby County and the Shelby County 911 Emergency Communications Board to reduce the amount of land leased from 15.00 acres to 5.00 acres.**

### **II. Source and Amount of Funding**

N/A

### **III. Contract Items**

Amendment to Long Term Land Lease, Development and Use Agreement and exhibits attached hereto.

### **IV. Additional Information Relevant to Approval of this Item**

This request is to approve an amendment to a Long Term Land Lease, Development and Use Agreement between Shelby County Government and the Shelby County Emergency Communications District.

At the time this agreement was entered into, there existed a Memorandum of Understanding between Shelby County Government, the City of Memphis, Sheriff's Department, and the Shelby County 911 Emergency Communications Board that provided that a combined emergency communications facility would be constructed for the use of the parties. This agreement was terminated as a result of not being able to secure a bond issuance by Shelby County or the City of Memphis. The 9-1-1 District no longer requires a total of 15 acres, but does need an office facility for administrative purposes. The facility will also house a backup Public Safety Answering Point for emergency use. This amendment reduces the amount of land to be granted for use to five (5.00) acres to meet the current space need. The five (5.00) acre parcel is shown on Exhibits A and B to the Amendment to the Land Lease, Development and Use Agreement attached to this Resolution as Exhibit "E". The District will be responsible for all construction costs and any land and road improvements to include any and all utilities related to the construction and operation of the facility.